



The State of New Hampshire  
***Department of Environmental Services***



**Michael P. Nolin**  
Commissioner

September 16, 2004

Mr. Roland Cormier  
Roland's Cleaning Service  
71 Melendy Road  
Hudson, NH 03051

**NOTICE OF PAST VIOLATION**

Re: Complaint Investigation  
Roland's Cleaning Service  
Hudson, NH

Dear Mr. Cormier:

The purpose of this Notice of Past Violation ("NOPV") is to put you, as owner and operator of Roland's Cleaning Service ("RCS") on notice of the violation that occurred in the City of Concord, NH on August 24, 2004.

**ISSUE**

On August 24, 2004, personnel from the New Hampshire Department of Environmental Services' Water Division Wastewater Engineering Bureau ("DES") received a complaint that the operator of an RCS van was observed dumping wastewater into a storm drain behind Market Basket Plaza located on Fort Eddy Road, in Concord, NH. During the site investigation DES determined the storm drain behind the plaza discharges to a small tributary leading to the Merrimack River. Subsequent to this incident, DES issued a Notice of Findings on September 1, 2004. RCS provided the requested information at a meeting held September 14, 2004 at the DES offices in Concord.

Pursuant to New Hampshire Revised Statutes Annotated ("RSA") Chapter 485-A Section 13, I (a) "It shall be unlawful for any person or persons to discharge or dispose of any sewage or waste to the surface water or groundwater of the state without first obtaining a written permit from the Department of Environmental Services."

Based on the information available on this illegal discharge of wastewater to a storm drain, RCS violated this statute. For violating RSA 485-A:13, I(a), Env-C 603.05(a) specifies a fine of \$2,000 per 5,000 gallons or portion thereof discharged or \$2,000 per hour or portion thereof that the sewage or other wastes are discharged, whichever is greater. For violating surface water quality standards specified in Env-Ws 1703.10 (b), Env-Ws 603.08 (c) specifies a fine of \$2,000 per violation for each parameter violated.

Based on investigation records, RCS discharged approximately ten to fifteen gallons of wastewater to the storm drain that subsequently flowed to the Merrimack River on August 24, 2004. For this violation, DES could seek a fine of \$4,000.

RESOLUTION

In light of the fact this is the first offense for which RCS has been cited, DES will not collect a fine from RCS. In lieu of a fine, DES requests RCS to do the following:

RCS shall commit no water quality violations of this nature for a period of two years.

2. RCS shall provide DES with the following information: the name of the carpet cleaning industry's trade magazine; the name of the local carpet cleaning industry business trainers, the address of the International Carpet Cleaning Institute that issues certification to carpet cleaning business owners.


CONCLUSION

DES is satisfied with the information RCS provided at the meeting on September 14, 2004 and via telephone on September 15, 2004. Other than taking steps to prevent future unpermitted discharges, and providing the above mentioned items as discussed at our meeting on September 14, 2004, no further action relative to this discharge is required.

Please note that RCS is responsible for complying with all applicable federal and state requirements, whether found in statutes, rules or applicable permit(s) and this letter does not provide relief against any other existing or future violations. This applies to any person authorized by RCS to dispose of waste material as well. Any future violations may result in State and/or Federal enforcement action, which may include administrative fines, or issuing an order.

If you have any questions regarding this Notice of Past Violations, please contact Mary Jane Meier at (603) 271-5553.

Sincerely,

  
John R. Bush, P.E.  
Administrator  
Wastewater Engineering Bureau

John R. Bush, P.E. - Administrator, DES/WD/WWEB  
Gretchen R. Hamel, Administrator- DES Legal Unit  
Honorable David Buhlman, NH State Representative, Hudson, NH  
Joy Hilton, US EPA, Water Technical Unit  
Mitch Locker- DES Water Supply Engineering Bureau  
File DES/WD/WWEB

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